

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DISTRICT

GOVERNMENT OF GUAM
RETIREMENT FUND, *et al.*,

Plaintiff,

vs.

INVACARE CORPORATION, *et al.*,

Defendants.

Case No. 1:13CV1165

JUDGE CHRISTOPHER A. BOYKO

**NOTICE OF LEAD PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

TO: All Counsel of Record

PLEASE TAKE NOTICE that upon the accompanying Lead Plaintiff's Memorandum Of Law In Support Of Motion For Preliminary Approval Of Class Action Settlement, and the Stipulation And Agreement Of Settlement (with exhibits) filed simultaneously herewith, and all prior proceedings in this action, through its undersigned counsel, Lead Plaintiff the Government of Guam Retirement Fund ("Lead Plaintiff"), pursuant to Rule 23 of the Federal Rules of Civil Procedure, now moves this Court before the Honorable Christopher A. Boyko at the United States District Court, Northern District of Ohio, Eastern Division, Courtroom 15B of the Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio 44113, at a time and date to be determined by the Court, for an order granting:

- (1) Preliminary approval of the proposed class action settlement which, if granted final approval, would resolve this action in its entirety;

- (2) Approval of the form, content and manner of the class notices to Settlement Class Members;
- (3) Certification of the proposed Settlement Class; and
- (4) Scheduling of a hearing, and certain deadlines related thereto, on final approval of the Settlement, proposed Plan of Allocation and Lead Counsel's application for an award of attorneys' fees and reimbursement of litigation expenses.

The parties' agreed-upon form of proposed Preliminary Approval Order, with exhibits thereto, is attached as Exhibit A to this Notice of Motion.

Dated: June 2, 2015

Respectfully submitted,

/s/ Benjamin Galdston

BENJAMIN GALDSTON

**BERNSTEIN LITOWITZ BERGER
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